

# **DEVELOPMENT PLAN REPORT**

FILE #: 2-B-24-DP	AGENDA ITEM #: 42
	AGENDA DATE: 2/8/2024
APPLICANT:	BENJAMIN C MULLINS
OWNER(S):	Ronald A. Watkins
TAX ID NUMBER:	144 B A 049 View map on KGIS
JURISDICTION:	County Commission District 5
STREET ADDRESS:	913 GETTYSVUE DR
LOCATION:	Northeast side of Gettysvue Dr, north of Polo Club Ln
• APPX. SIZE OF TRACT:	3.9 acres
SECTOR PLAN:	Southwest County
GROWTH POLICY PLAN:	Planned Growth Area
ACCESSIBILITY:	Access is via Gettysvue Dr, a local road with a pavement width of 26 ft in a 50-ft right-of-way.
UTILITIES:	Water Source: First Knox Utility District
	Sewer Source: First Knox Utility District
WATERSHED:	Sinking Creek
ZONING:	PR (Planned Residential) up to 3 du/ac
EXISTING LAND USE:	Private Recreation
PROPOSED USE:	Multi-dwelling development
DENSITY PROPOSED:	10.25 du/ac (site only); 2.31 du/ac (entire subdivision)
HISTORY OF ZONING:	The property was rezoned from A to PR in 1994 (6-O-94-RZ)
SURROUNDING LAND	North: Single family residential - PR (Planned Residential) up to 3 du/ac
USE AND ZONING:	South: Private recreation - PR (Planned Residential) up to 3 du/ac, OS (Parks and Open Space)
	East: Private recreation - OS (Parks and Open Space)
	West: Single family residential, private recreation - PR (Planned Residential) up to 3 du/ac, OS (Parks and Open Space)
NEIGHBORHOOD CONTEXT:	The site is located in the middle of the Gettysvue development. There are houses to the north and west, and country club facilities to the east, south and southwest.

### **STAFF RECOMMENDATION:**

Deny the request because it is not consistent with the development policies of the Knoxville-Knox County General Plan, as noted in this report.

### COMMENTS:

This proposal is a 40-unit multi-dwelling development on 3.9 acres. There are two 3-story structures with 20 dwelling units in each building and 113 parking spaces, with 68 of the spaces located under the buildings. The tallest portion of Building 1 is 64 ft, and Building 2 is 66 ft, measured from the finished grade to the roof peak.

The subject property is owned by the developer of the Gettysvue subdivision and was proposed as "villas" on the original development plan. In 1999, a 60-unit multi-dwelling development was approved on this site with a similar design, except the buildings had a larger footprint and 30 units each (1-A-99-UR). In 2003, a new residential development with 19 attached houses was approved (10-D-03-UR), replacing the 1999 approval. In 2020, a 60-unit multi-dwelling development was proposed, which was very similar to the 1999 plan. The 2020 application was withdrawn.

Except for the reduction in the number of dwelling units, the main difference between the current proposal and the 1999 and 2020 plans is a reduction of the tallest portion of Building 1 from approximately 80 ft to 64 ft and rotating Building 1 ninety (90) degrees to an increase the setback to the north lot line from 17 ft to 122 ft.

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL) In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

### 1) ZONING ORDINANCE

PR (Planned Residential) up to 3 du/ac:

A. The PR zone allows multi-dwelling development as a permitted use. The administrative procedures for the PR zone require the Planning Commission to approve the development plan before permits can be issued (Article 5, Section 5.13.15).

B. This PR zone district is approved for a maximum of 3 du/ac. The net density for this proposal is 10.25 du/ac (for the subject site only). The gross density for the entire PR zone district (Gettysvue subdivision), including the proposed 40 dwelling units, is approximately 2.31 du/ac. The gross density is the total number of residential dwelling units (approximately 290) divided by the total acreage of the PR zone district (approximately 125.8 acres). The PR zone allows the clustering of residential dwelling units. This may result in a specific site (parcel) exceeding the maximum zoning density, which is permissible as long as the entire PR zone district does not exceed the maximum zoning density.

2) GENERAL PLAN - DEVELOPMENT POLICIES -- see the notes in the section below for additional information

A. The General Plan's development policy 8.1 encourages "infill" housing on vacant lots and redevelopment parcels that are compatible with neighboring residences in scale, design, and site layout.

B. The General Plan's development policy 8.3 recommends focusing on design quality and neighborhood compatibility in reviewing development proposals.

C. The General Plan's development policy 9.3 encourages the scale of new development to be compatible with existing neighborhoods and communities.

D. The General Plan's development policy 11.5 discourages abrupt, incompatible changes in density, scale, and building appearance from one development to another.

E. The General Plan's development policy 11.7 is regarding mid-rise office buildings (four to eight stories); however, the recommendations are applicable to this subject proposal because of the overall height of the structures, including the exposed foundation and under-building (structured) parking. When such projects abut low-rise residential development, this policy recommends large building setbacks along the residential property line and/or stepped-back building facades so as that the buildings do not cast shadows or block sunlight. Also, the mass, scale, and style of surrounding development should be a consideration in the building and site design.

\*\* Notes regarding the proposal and the General Plan development policies listed above:

a) Scale (height and footprint) – The proposed multi-dwelling structures have three (3) stories of residential units on top of one (1) story of structured parking. The structured parking floor is partially exposed in both buildings. The structure closest to Gettysvue Dr (Building 1) has four (4) stories of exposed elevation that is approximately 64 ft tall to the top of the roof. The typical house in the neighborhood is 2-2.5 stories tall and with a maximum potential height of 35 ft. The footprint of the proposed structures is much larger than the single-family houses in the neighborhood but comparable to the clubhouse to the southeast.

B) Design – The proposed structures have pitched roofs with projecting gables, characteristic of the neighborhood's residential structures. The exterior materials are not specified. However, the three upper floors

	AGENDA ITEM #: 42	FILE #: 2-B-24-DP	2/2/2024 10:29 AM	MIKE REYNOLDS	PAGE #:	42-2
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appear to be a single, homogenous material, with a thin horizontal band between the second and third floors. The exterior materials common in the neighborhood include brick, stone, stucco, and lap siding (or similar). Shingle/shake siding is commonly used as an accent. Most structures use more than one exterior material, with one being the primary.

\*\* If the Planning Commission considers approval of this request, staff recommends a condition that the north, west, and south facades of the residential floors of Building 1 have a minimum of two exterior materials that are consistent with the neighborhood and no individual exterior material being more than two-thirds of each elevation. The exposed portions of the parking garage and foundation on these same elevations must be clad with brick or stone, or another common finish found in the neighborhood. The revised architectural elevations must be reviewed and approved by Planning staff before building permits are issued.

C) Site layout – Building 1 is approximately 22 ft from the front property line, which is closer than most houses in the neighborhood. The minimum front setback is 20 ft for the houses lots according to the final plat for Unit 6 of the Gettysvue subdivision, which includes the houses to the west and north. However, the houses on Gettysvue Dr have an established front setback that is closer to 25-30 ft. The larger setback is appropriate for a main road through the subdivision. The location of the structures is more than 100 ft from adjacent houses and the parking surface parking is located on the south side of the property, adjacent to tennis courts.

\*\* If the Planning Commission considers approval of this request, staff recommends a minimum setback of 30 ft from the front property line to be consistent with the established setback along Gettysvue Dr.

D) Incompatible changes in density – The proposed density is 10.25 du/ac (see the staff comments above for more details regarding density). The platted density for house lots in Unit 6 of the subdivision is approximately 1.5 du/ac. This includes the house lots on Gettysvue Dr (from the subject lot to the southwest terminus), Hidden Green Ln, and Signature Ln. Currently, the densest portion of the development is the Magnolia Villas Condos on the south side of Linksvue Dr, across from the country club, which is approximately 5 du/ac.

It is not uncommon for multi-story residential developments to be located adjacent to or near lower-intensity residential uses, but they are usually located near the fringe of the development rather than in the middle. Gettysvue is unique in that a higher intensity use has always been planned on the subject site, and it is adjacent to the focal point of the development, the Gettysvue County Club. The development policies listed above need to be incorporated early in the design process to ensure compatibility with the surrounding area.

When the similar development was approved in 1999, the houses near this site were not yet constructed, so there was little context to determine compatibility. The current proposal must be evaluated based on the current contextual conditions.

### 3) SOUTHWEST COUNTY SECTOR PLAN

A. The property is classified LDR (Low Density Residential), which allows densities up to 5 du/ac. The net density for the subject site is 10.25 du/ac. The gross density for the entire PR zone district, including the proposed 40 dwelling units, is approximately 2.31 du/ac. Additional details regarding the density are provided in the Zoning Ordinance comments above.

B. Approximately 3.5 acres of this 3.9-acre site are within the HP (Hillside Protection) area on the sector plan. The slope analysis recommends a disturbance budget of 2.5 acres. This proposal disturbs approximately 2.7 acres based on the proposed grading plan. A large portion of existing trees will be left undisturbed on the northwest portion of the site. The site will be heavily landscaped with a mix of deciduous and evergreen trees that will function as screening and for general aesthetics. See the landscape plan for additional details (Sheet L1.01).

### 4) KNOXVILLE - FARRAGUT - KNOX COUNTY GROWTH POLICY PLAN

A. The property is within the Planned Growth Boundary. The purposes of the Planned Growth Boundary designation are to encourage a reasonably compact pattern of development, promote the expansion of the Knox County economy, offer a wide range of housing choices, and coordinate the actions of the public and private sectors, particularly with regard to the provision of adequate roads, utilities, schools, drainage and other public facilities and services. The proposed development meets the relevant standards of the Growth Policy Plan.

ESTIMATED TRAFFIC IMPACT: 419 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 3 (public school children, grades K-12)

Schools affected by this proposal: A. L. Lotts Elementary, West Valley Middle, and Bearden High.

• Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.

• Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.

• Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.

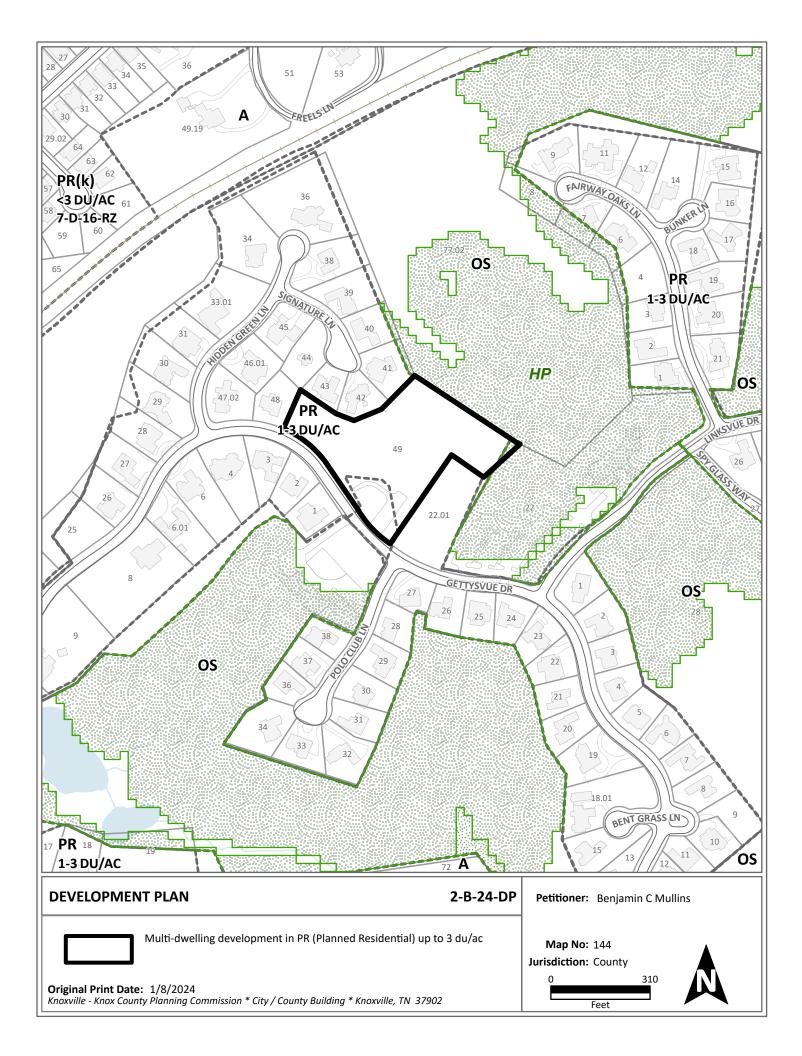
• Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

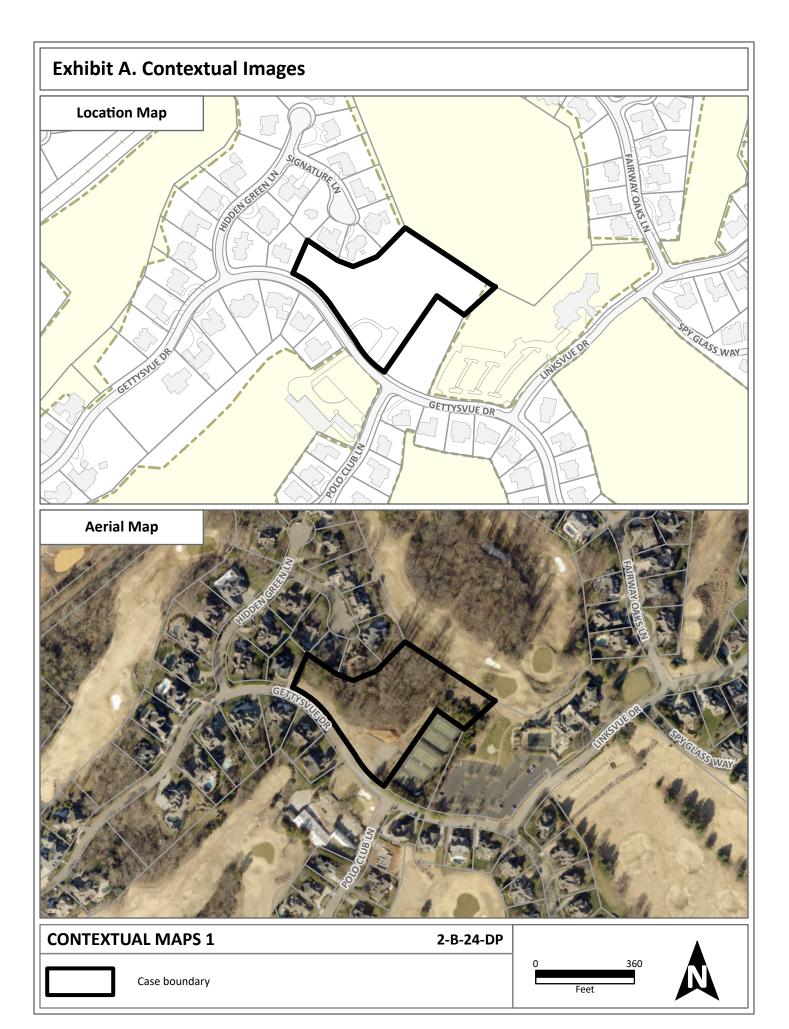
The Planning Commission's approval or denial of this development plan request is final, unless the action is appealed either to the Board of Zoning Appeals or to a court of competent jurisdiction within thirty (30) days of the decision being appealed (Knox County, Tennessee Code of Ordinances, Appendix A, Zoning, 6.50.08).





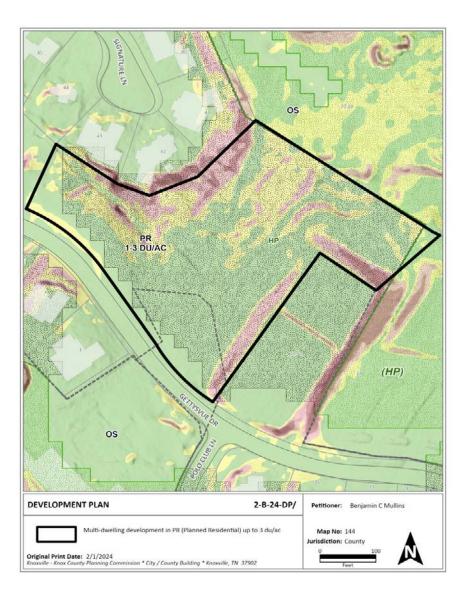
rtanning	Benjamin C. Mullins	2-5-24
KNOXVILLE   KNOX COUNTY	Applicant Name (as it appears on the current Planning Commission agenda)	
February 8, 2024 Scheduled Meeting Date	2-B-24-DP	File Number(s)
POSTPONE		
the week prior to the Planni	are eligible for postponement if the request is received ir ing Commission meeting. All requests must be acted upo le for one 30-day automatic postponement. If payment i	on by the Planning Commission, except new
SELECT ONE: 🔲 30 days 🗌	60 days 🔲 90 days	
Postpone the above application	(s) until the March 7, 2024	Planning Commission Meeting.
WITHDRAW		
week prior to the Planning C	ay be withdrawn automatically if the request is received commission meeting. Requests made after this deadline n refund only if a written request for withdrawal is received	전에 동안 이 가지 않는 것 같은 것은 것을 하는 것 같아요. 그 것 같은 것이 같아요. 그는 것 같아요. 같이 것 같아요. 것이 같아요. 것 같아요. 것이 같아요. 것이 나 있는 것 같아.
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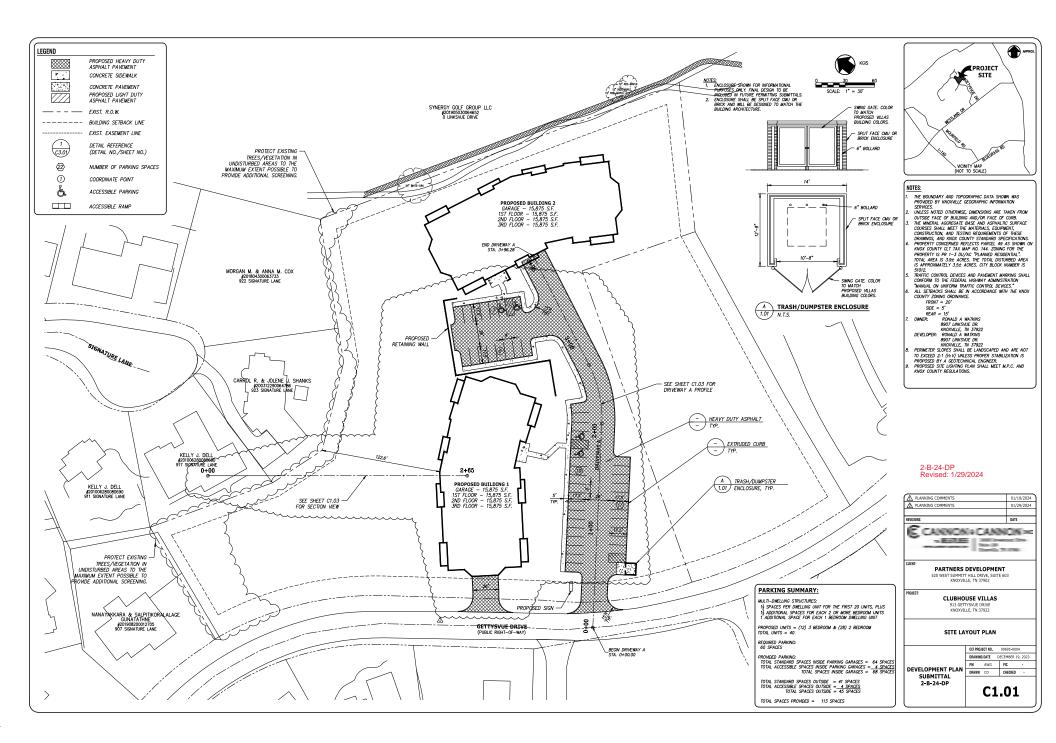


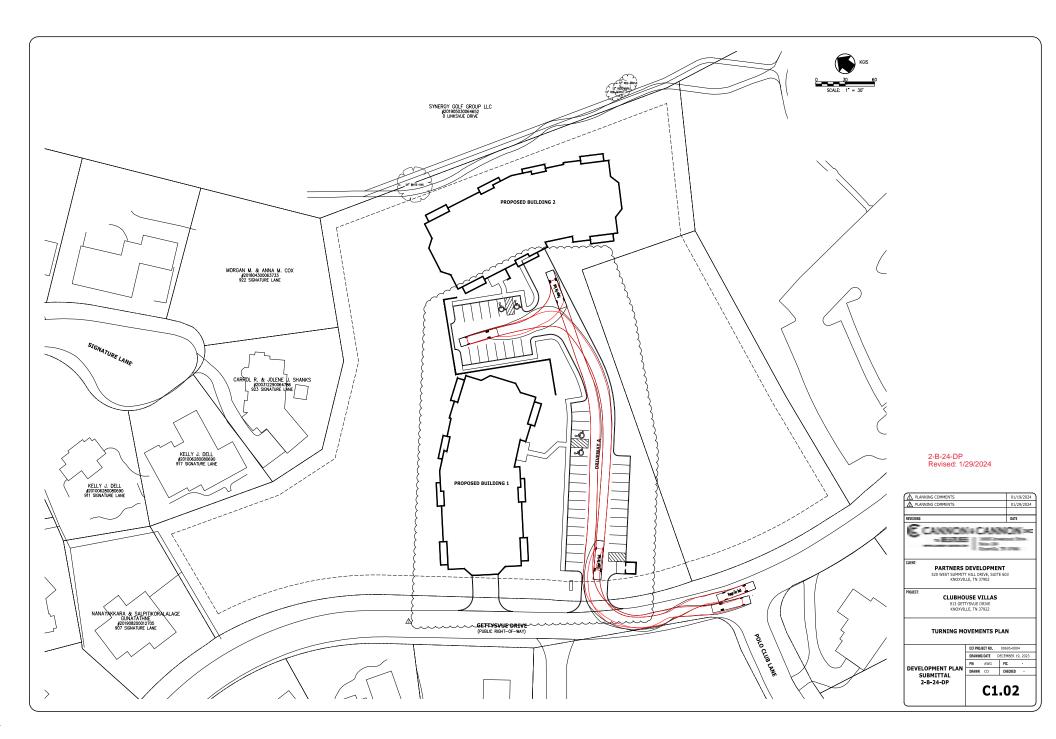


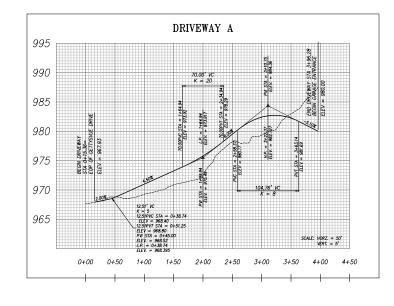
Staff -	Slop	e Ana	alysis
Cas	e: 2-E	3-24-1	DP

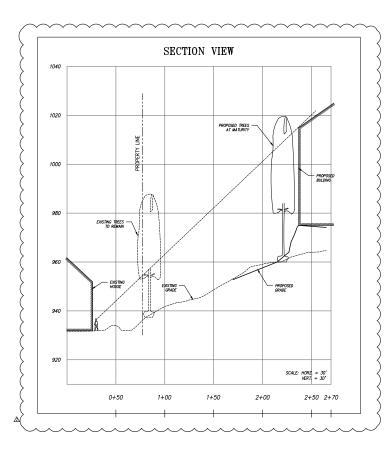
CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	169,934.2	3.9			
Non-Hillside	16,015.5	0.4	N/A		
0-15% Slope	81,887.3	1.9	100%	81,887.3	1.9
15-25% Slope	42,873.8	1.0	50%	21,436.9	0.5
25-40% Slope	22,348.3	0.5	20%	4,469.7	0.1
Greater than 40% Slope	6,809.4	0.2	10%	680.9	0.0
Ridgetops					
Hillside Protection (HP) Area	153,918.8	3.5	Recommended disturbance budget within HP Area	108,474.8	2.5
			Percent of HP Area	70.5	5%



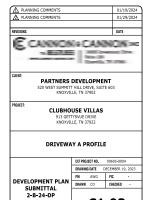






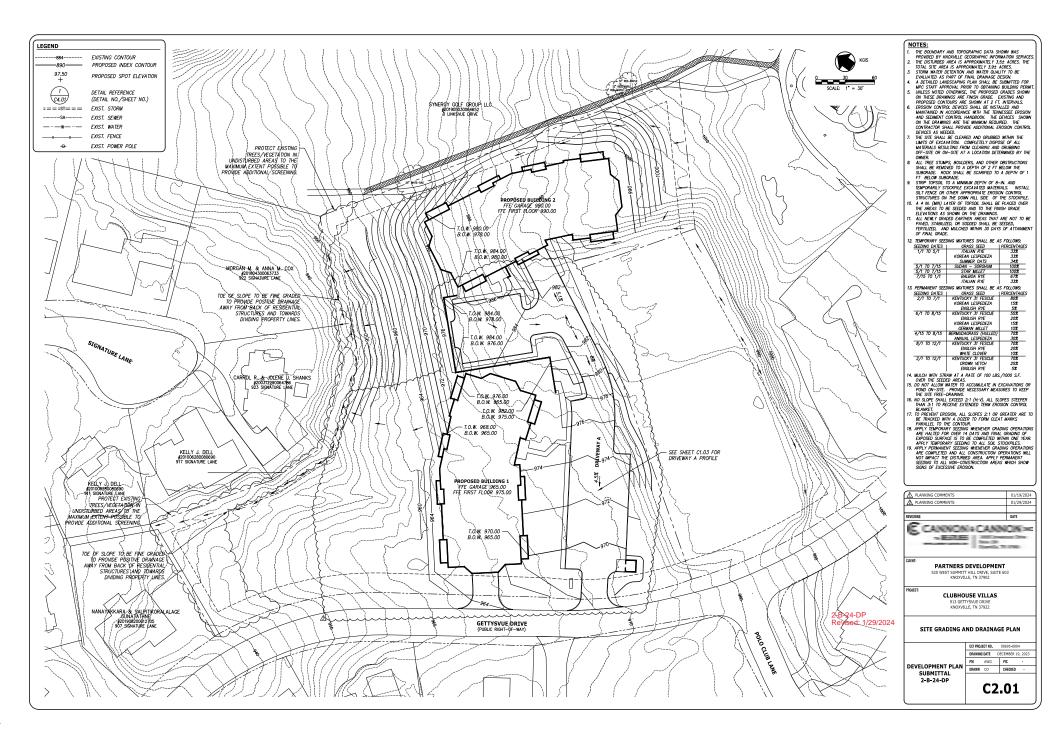


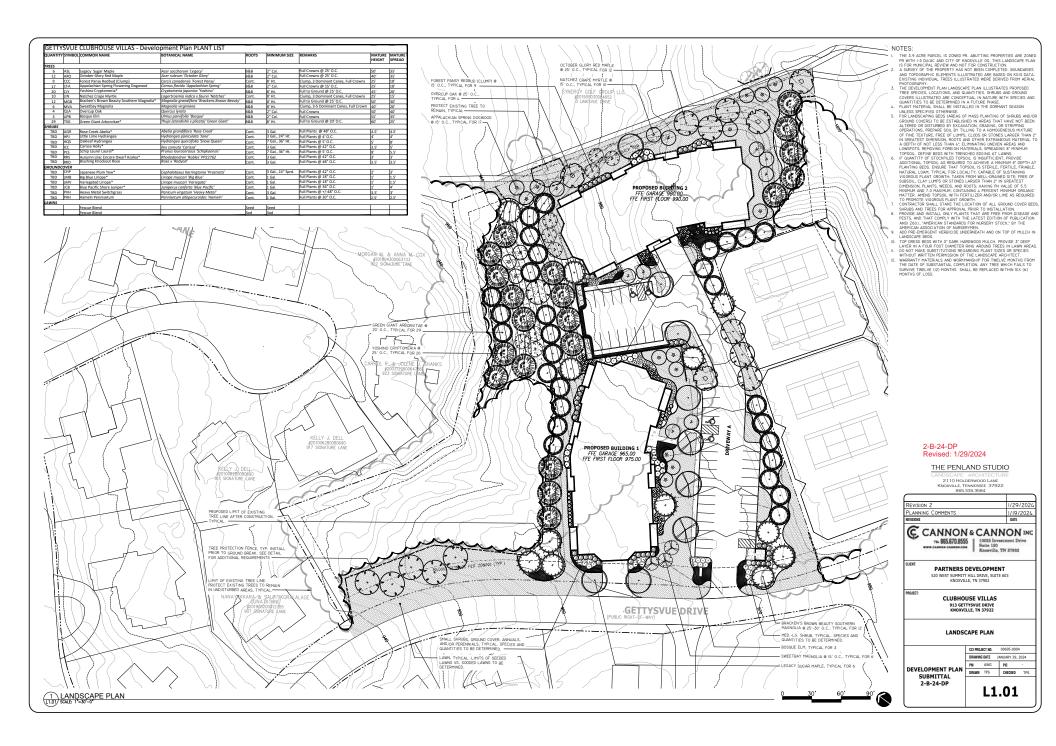


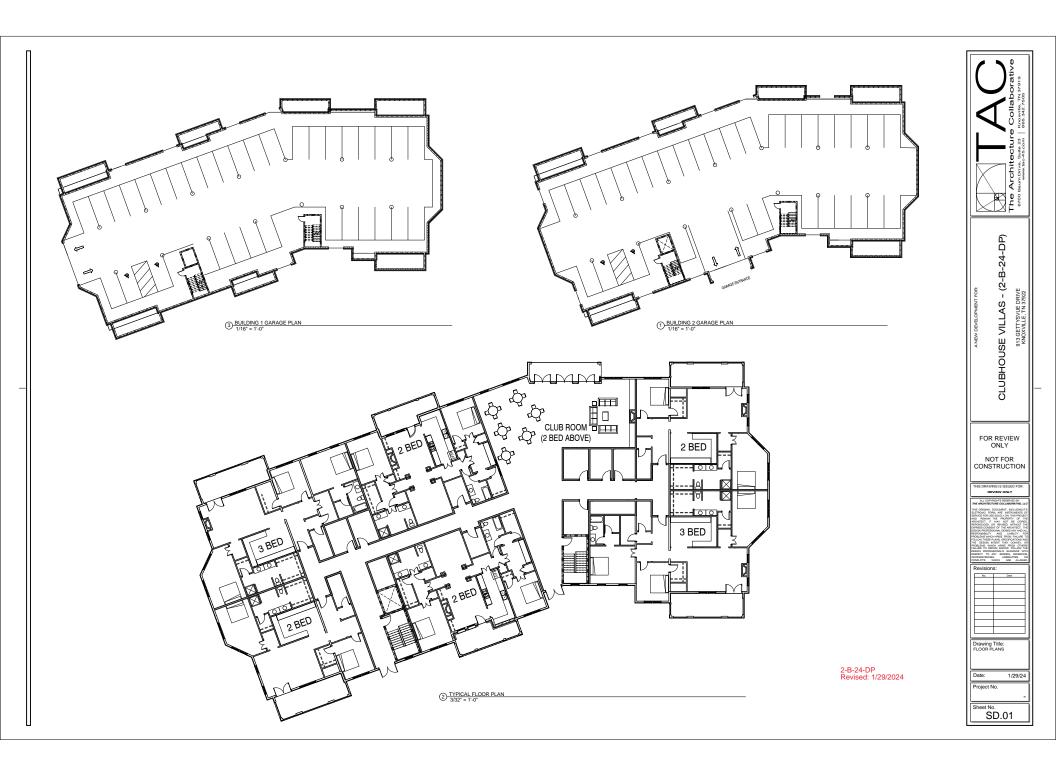


C1.03

Revised: 1/29/2024













đ Archi The f CLUBHOUSE VILLAS - (2-B-24-DP) A NEW DEVELOPMENT FOR: 913 GETTYSVUE DRIVE KNOXVILLE, TN 37922 FOR REVIEW ONLY NOT FOR CONSTRUCTION Revisions: Drawing Title: PERSPECTIVE VIEWS Date: 1/29/24 Project No. Sheet No. SD.04

Planning

# **Development Request**

		DEVELOPMENT	SUBDIVISION	ZONING
PI	anning	🗹 Development Plan	🗌 Concept Plan	🗌 Plan Amendment
		🗌 Planned Development	🗌 Final Plat	Sector Plan
KN	IOXVILLE I KNOX COUNTY	$\Box$ Use on Review / Special Use		🗌 One Year Plan
		$\Box$ Hillside Protection COA		Rezoning
Benjamin	C Mullins			
Applicant	Name		Affiliation	
12/27/20	23	2/8/2024	2-B-24-DP	
Date Filed	ł	Meeting Date (if applicable)	File Number(s)	
CORRE	SPONDENCE	All correspondence related to this application sh	ould be directed to the app	proved contact listed below.
Benjamin	C. Mullins Frantz, McC	Connell and Seymour, LLP		
Name / C	ompany			
550 W. N	lain St. St. Suite 500 Kn	oxville TN 37902		
Address				
865-546-9	9321 / bmullins@fmsll	p.com		
Phone / E	mail			
CURRE	NT PROPERTY INFO			
Ronald A	. Watkins	8907 Linksvue Dr Knoxville TN 37	922 86	5-719-9490
Owner Na	ame (if different)	Owner Address	Ov	vner Phone / Email
913 GETT	YSVUE DR			
Property	Address			
144 B A 0	49		3.9	acres
Parcel ID		Part of P	arcel (Y/N)? Tra	act Size
	x Utility District	First Knox Utility Di	strict	
Sewer Pro	ovider	Water Provider		Septic (Y/N)
STAFF	USE ONLY			
Northeas	t side of Gettysvue Dr,	north of Polo Club Ln		
General L	ocation			
City	Commission District 5	PR (Planned Residential) up to 3 du/ac	Private Re	
✔ Count	District	Zoning District	Existing L	and Use
Southwe	st County LD	R (Low Density Residential), HP (Hillside Pro	tection) Planned G	irowth Area

Growth Policy Plan Designation

Development Plan	Special Use	Related City F	Permit Number(s	
Hillside Protection COA	Non-residential			
Home Occupation (specify)				
Other (specify) Multi-dwelling development 40 units in 2 buildings				
SUBDIVSION REQUEST		_		
		Related Rezo	ning File Numbe	
Proposed Subdivision Name				
Jnit / Phase Number Total N	lumber of Lots Created			
Additional Information				
Attachments / Additional Requirements				
ZONING REQUEST				
Zoning Change			Pending Plat File Number	
Proposed Zoning		-		
Plan				
Amendment Proposed Plan Designation(s)				
Proposed Density (units/acre) Previous Zoning Requests				
Additional Information				
STAFF USE ONLY				
PLAT TYPE	Fee 1		Total	
Staff Review Planning Commission	\$500.00			
ATTACHMENTS	\$500.00			
Property Owners / Option Holders	Fee 2			
ADDITIONAL REQUIREMENTS				
COA Checklist (Hillside Protection)				
Design Plan Certification (Final Plat)	Fee 3			
Site Dian (Dovelopment Deguest)				
] Traffic Impact Study				
<ul> <li>Site Plan (Development Request)</li> <li>Traffic Impact Study</li> <li>Use on Review / Special Use (Concept Plan)</li> </ul>				
Traffic Impact Study				

	Denjannin C Wumins	12/2//2025
Applicant Signature	Please Print	Date
Phone / Email		
	Ronald A. Watkins	12/27/2023
Property Owner Signature	Please Print	Date

		Dovol	opmen	t Pog	uoc	•
Plann KNOXVILLE I KNOX		DEVELOPMENT DEVELOPMENT Development Planned Development Use on Review Hillside Prote	Plan lopment w / Special Use	SUBDIVISION	<b>l</b> Plan l	L ZONING ☐ Plan Amendment ☐ SP ☐ OYP ☐ Rezoning
Benjamin C. Mul	llins				Attorney	y for Owner
Applicant Name					Affiliation	
12-22-23		February 8	3, 2024			File Number(s)
Date Filed		Meeting Dat	e (if applicable)		2-B-24-	DP
CORRESPONDE	NCE All c	orrespondence relate	ed to this application sh	ould be directed t	to the appro	ved contact listed below.
🔳 Applicant 🛛 I	Property Owner	Option Holder	Project Surveyor	🗌 Engineer [	☐ Architec	t/Landscape Architect
Benjamin C. Mu	llins		Frantz	, McConnell &	Seymour,	LLP
Name			Compar	γ		
550 West Main S	Street, Suite 5	00	Knoxvi	ille	TN	37902
Address			City		State	ZIP
8655469321		bmullins@	fmsllp.com			
Phone		Email				
CURRENT PROF	PERTY INFO					
Ronald A. Watki	ns	89	07 Linksvue Dr. Kno	oxville, TN 379	22 8	865-719-9490
Property Owner Nar	ne (if different)	Pro	perty Owner Address		P	roperty Owner Phone
913 Gettysvue D	r.			144BA049		
Property Address				Parcel ID		
Knoxville Utilities	s Board		First Knox Utili	ity District		N
Sewer Provider			Water Provider			Septic (Y/N)
STAFF USE ONLY	Y					
Northeast side c	of Gettysvue D	rive, westof Linl	ksvue Drive.		~3.9 ac	
General Location					Tract Size	
	5	Planned Re	esidential 1-3 du/a	c Vacant Land	b	
🗌 City 🔳 County	District	Zoning Distric	t	Existing Land U	Jse	
Southwest Coun	ty	LDR			Planned	Growth Area
Planning Sector		Sector Plan L	and Use Classification		Growth Po	licy Plan Designation

# DEVELOPMENT REQUEST

🔳 Development Plan	Use on Review / Special Use 🛛 Hillside Protection COA	Related City Permit Number(s)
Residential	Non-Residential	
Home Occupation (spe	cify)	
Multi- Other (specify)	Dwelling Development 40 units in 2 buildings	

### SUBDIVISION REQUEST

		Related Rezoning File Number
Proposed Subdivision Name		
Unit / Phase Number	cel Total Number of Lots Created	
Other (specify)		
Attachments / Additional Requirements		
ZONING REQUEST		
<ul> <li>Zoning Change</li> <li>Proposed Zoning</li> <li>Plan Amendment Change</li> <li>Proposed Plan Designation(s)</li> </ul>		Pending Plat File Number
Proposed Density (units/acre) Previous Rezonin	ng Requests	
STAFF USE ONLY		
PLAT TYPE   Staff Review   Planning Commission   ATTACHMENTS   Property Owners / Option Holders   Property Owners / Option Holders   Variance Request   ADDITIONAL REQUIREMENTS   Design Plan Certification (Final Plat)   Use on Review / Special Use (Concept Plan)   Traffic Impact Study   COA Checklist (Hillside Protection)	Fee 2 Fee 3	Total
AUTHORIZATION		
<ul> <li>I declare under penalty of perjury the foregoing is true and correct</li> <li>1) He/she/it is the owner of the property AND 2) The application at</li> </ul>	ct: nd all associated materials are being sul	omitted with his/her/its consent

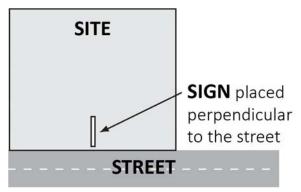
Reality	Benjamin C. Mullins	12-22-23
Applicant Signature	Please Print	Date
865-546-9321	bmullins@fmsllp.com	
Phone Number	Email	
INT	Ronald A. Watkins	
Property Owner Signature	Please Print	Date Paid



# Sign Posting & Removal Requirement

Revised April 2021

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

## LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

## TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

January 26, 2024	and	February 9, 2024
(applicant or staff to post sign)	(applicant to remove sign)	
Applicant Name: Bejamin C Mullins		
Date: 12/27/2023		Sign posted by Staff
File Number: 2-B-24-DP		Sign posted by Applicant